

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JOHN COTTILLION, <i>et al.</i> , on behalf of themselves and all others similarly situated,)	
)	
Plaintiffs,)	
v.)	Civil Action No. 09-140 Erie
)	
UNITED REFINING COMPANY, <i>et al.</i> ,)	Judge Cathy Bissoon
)	
Defendants.)	

MEMORANDUM AND ORDER

I. MEMORANDUM

Upon consideration of the Status Report (Doc. 334) jointly submitted by the parties, the Court determines that the proposed order submitted by Defendants is most consistent with the guidelines and analyses set forth in this Court's Memorandum and Order dated June 30, 2016 (Doc. 330). As previously intimated, the Court believes that the resulting fee award is both sufficient and generous. The Court, therefore, adopt Defendants' proposal, and hereby enters the following:

II. ORDER

Consistent with the above Memorandum, and the Memorandum and Order dated June 30, 2016 (Doc. 330), the Court holds as follows.

1. An award of fees to Plaintiffs is appropriate.
2. Reasonable attorney rates are as follows: \$375/hour for Attorneys Brett, Doyle, Payne, Stember and Ewing; \$325/hour for Attorney Hurt; \$225 for Attorney Bailey; \$185 for Attorneys McDonnell and Martin; and \$90 for work performed by law clerks.

3. The 51.75 hours that Plaintiffs billed for a mediation scheduled on November 1, 2010, will be reduced by half.
4. The 58.1 hours that Plaintiffs billed for a settlement conference held in January 2013, will be reduced by half.
5. The 214.65 hours that Plaintiffs billed for work on the motion proposing final remedy (Doc. 203) will be reduced by half.
6. The 133.60 hours that Plaintiffs billed for work on a motion to strike expert testimony (Doc. 167) will be reduced by half.
7. The 253 hours that Plaintiffs billed for work on a motion for class certification (Doc. 89) will be reduced by half.
8. The 61.3 hours that Plaintiffs billed for work to renew that motion and file a second motion for class certification (Doc. 191) will be reduced by half.
9. The 583.2 hours that Plaintiffs billed for work on a motion for summary judgment (Doc. 112) and renewed motion for summary judgment (Doc. 138) will be reduced by half.
10. The 424.45 hours that Plaintiffs billed for work on appellate issues will be reduced by half.
11. In accordance with the chart below, attorneys' fees of \$1,139,311.99 are awarded.
12. Costs in the amount of \$55,386.24 are awarded, without reduction.

Name	Rate	Hours	Fees	Deducted Hours	Deducted Fees
Tybe Brett	375.00	2124.75	796,781.25	387.125	145,171.88
Ellen Doyle	375.00	54.10	20,287.50		
Pamina Ewing	375.00	17.25	6,468.75	2.25	843.75
Joel Hurt	325.00	1847.00	600,275.00	345.675	112,344.38
Sarah Martin	185.00	2.20	407.00		
Ruairi McDonnell	185.00	35.40	6,549.00	6.95	1,285.75
William Payne	375.00	3.60	1,350.00		
John Stember	375.00	3.50	1,312.50	1.00	375.00
Kathryn Bailey	225.00	0.30	67.50		
Law Clerks	90.00	74.55	6709.50	1.6	144.00
			1,440,208.00		(260,164.76)
Reduced Lodestar	350.00	116.375			(40,731.25)
Total Attorneys' Fees					1,139,311.99

IT IS SO ORDERED.

August 26, 2016

s/Cathy Bissoon
Cathy Bissoon
United States District Judge

cc (via ECF email notification):

All counsel of record